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## FACSIMILE TRANSMITTAL COVER SHEET

DATE: April 7, 2003

TO: Examiner David S. Romeo  
(Name)  
U.S. Patent Office  
(Company)

FAX NO.: 703-746-5075  
COUNTRY: USA

FROM: Christine C. O'DayFAX NOS.: (617) 439-4170

Our Reference No.: 47176-DIV2  
(70342)

No. of pages 10  
(including cover sheet)

Your Reference No.: USSN 09/716,147

## MESSAGE:

Kindly refer to the enclosed documents (i) copy of response to restriction requirement filed on 4/2/02 and PTO auto-reply confirmation of receipt; and (ii) a change of address for agent. Please contact me should anything further be required at this time to advance prosecution. Best regards, Christine O'Day.

Should there be any problem with this transmission, please contact Susan M. Dillon at the above telephone number.

## NOTICE

The message and/or information which accompanies this facsimile cover sheet is intended for the addressee named above only. If you are not the intended recipient, please contact the sender by collect telephone at the number indicated. You will be advised regarding the disposition of what you have received. The misdelivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of trade secrets, of attorney work product or of an attorney-client communication. No waiver of any privilege is intended. Thank you for your attention to this matter.

Practitioner's Docket No. 47176-DIV2 (70342)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: S. Hinuma  
Application No.: 09/716,147 Group No.: 1647  
Filed: November 17, 2000 Examiner: D. Romeo  
For: POLYPEPTIDES, THEIR PRODUCTION AND USE

Assistant Commissioner for Patents  
Washington, D.C. 20231

## CHANGE OF ATTORNEY'S ADDRESS IN APPLICATION

NOTE: Section 601.03 (Change of Correspondence Address), M.P.E.P., 7th Edition states:

*"Where an attorney or agent of record (or applicant, if he or she is prosecuting the application pro se) changes his or her correspondence address, he or she is responsible for promptly notifying the Patent and Trademark Office of the new correspondence address (including ZIP code number). The notification should also include his or her telephone number. A change of correspondence address may not be signed by an attorney or agent not of record (see MPEP Section 405).*

*"Unless the correspondence address is designated as the address associated with a Customer Number, a separate notification must be filed in each application for which a person is intended to receive communications from the Office. See MPEP Section 403 for Customer Number Practice. In those instances where a change in the correspondence address of a registered attorney or agent is necessary in a plurality of applications, the notification filed in each application may be a reproduction of a properly executed, original notification. The original notice may either be sent to the Office of Enrollment and Discipline as notification to the Attorney's Roster of the change of address, or may be filed in one of the applications affected, provided that the notice includes an authorization for the public to inspect and*

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. Section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

## FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office (703) 746-5075

Christine C. O'Day  
Signature

Date: 4/7/03

Christine C. O'Day  
(type or print name of person certifying)

(Change of Attorney's Address in Application—page 1 of 2)

*copy the original notice in the event one of the applications containing a copy matures into a patent and the application containing the original paper is either pending or has become abandoned. Alternatively, the paper containing the original signature may be retained by applicant. See MPEP Section 502.02. The copies submitted in each affected application must identify where the original paper is located.*

*"Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4).*

*"See MPEP Section 711.03(c) for treatment of petitions to revive applications abandoned as a consequence of failure to timely receive an Office action addressed to the old correspondence address.*

*"The required notification of change of correspondence address need take no particular form. However, it should be provided in a manner calling attention to the fact that a change of address is being made. Thus, the mere inclusion, in a paper being filed for another purpose, of an address which is different from the previously provided correspondence address, without mention of the fact that an address change is being made would not ordinarily be recognized or deemed as instructions to change the correspondence address on the file record."*

Please send all correspondence for this application as follows:

David G. Conlin  
EDWARDS & ANGELL, LLP  
P.O. Box 9169  
Boston, MA 02209

Please direct telephone calls to:

John B. Alexander, Ph.D. and/or  
Christine C. O'Day  
Tel: (617) 439-4444  
Fax: (617) 439-4170

Reg. No. 38,256

Tel. No. (617) 439-4444

Customer No. 21874  
#191079

  
SIGNATURE OF PRACTITIONER

Christine C. O'Day  
(type or print name of practitioner)

Edwards & Angell, LLP  
P.O. Box 9169  
P.O. Address

Boston, Massachusetts 02209

(Change of Attorney's Address in Application--page 2 of 2)

04/02/02 18:16:11

USPTO-&gt;

Rig FAX

Page 001

TO: Auto-reply fax to 617 439 4170 COMPANY:

106/100/100/100  
4/11 76 (342)

## Auto-Reply Facsimile Transmission

UNITED STATES  
PATENT AND  
TRADEMARK OFFICE  
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TO:

Fax Sender at 617 439 4170

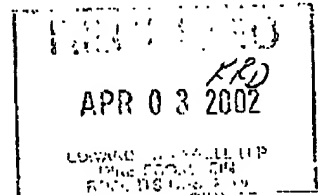
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6 (including cover page)



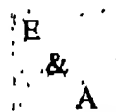
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Received  
Cover  
Page

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APR 02-2002 TUE 08:21 PM EDWARDS & ANGELL		FAX NO. 617 439 4170		P. 01	
<p><b>E &amp; A EDWARDS &amp; ANGELL, LLP</b></p> <p>CELESTINE ONE AT LAW Step 100 1001, WESTERN AVENUE &amp; CLAYMAN Arlington Heights, Illinois 60015</p> <p>SMITHSONIAN INSTITUTION Telephone (202) 634-7772 Washington, DC (202) 634-7772</p> <p>MAILING ADDRESS P.O. BOX 1119 Bethesda, MD 20814 FAX (301) 461-4170</p>					
<b>FACSIMILE TRANSMITTAL</b>					
DATE: April 2, 2002					
TO: U.S. Patent & Trademark Office Examining Group 1800		FAX NO.: 1-703-672-9300			
FROM: John B. Alexander, Ph.D.		FAX NO.: 617-439-4170			
Our Picket No.: 47178 DV2 (70342)		No. of Pages (incl. covers): 6			
Re: U.S. Serial Number 09/710,147					
MESSAGE:					
Please enter the attached Amendment.					
<p><b>NOTICE</b></p> <p>This message and/or information which accompanies this facsimile transmission is intended for the addressee named above only. If you are not the intended recipient, please correct the sender by collect telephone at the number indicated. You will be advised regarding the disposition of any pages received. The misdelivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of its contents, of attorney work product or of an attorney's communication. No waiver of any privilege is intended. Thank you for your attention to this matter.</p>					
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\* P.01 \*  
\* TRANSACTION REPORT \*  
\* APR-02-2002 TUE 06:22 PM \*  
\* DATE START RECEIVER TX TIME PAGES TYPE NOTE M# DP \*  
\* APR-02 06:21 PM 17038729306 1' 32" 8 SEND OK 868 \*  
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(617) 439-4444  
FAX (617) 439 4170DIKE, IMONSTEIN, ROBERTS & CUSHMAN  
Intellectual Property Practice GroupWASHINGTON, DC  
TELEPHONE (703) 553-2561**FACSIMILE TRANSMITTAL****DATE:** April 2, 2002**TO:** U.S. Patent & Trademark Office  
Examining Group 1600**FAX NO.:** 1-703-872-9306**FROM:** John B. Alexander, Ph.D.**FAX NO.:** 617-439-4170**Our Docket No.:** 47176 DIV2 (70342)**No. of Pages (incl. cover):** 6**Re:** U.S. Serial Number 09/716,147

Practitioner's Docket No. 47176-DIV2 (70342)

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: S. Hinuma

Application No.: 09/716,147

Group No.: 1647

Filed: November 17, 2000

Examiner: D. Romeo

For: POLYPEPTIDES, THEIR PRODUCTION AND USE

Assistant Commissioner for Patents  
Washington, D.C. 20231

## AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is  
☐ a small entity. A statement:  
☐ is attached.  
☐ was already filed.  
☒ other than a small entity.

## EXTENSION OF TERM

*NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period."*

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

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## FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office, Technology Center 1600 at 703-872-9306.

Date: April 2, 2002  
SignatureJohn B. Alexander, Ph.D.  
(type or print name of person certifying)

(Amendment Transmittal--page 1 of 4)

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

*(complete (a) or (b), as applicable)*

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$ 1,440.00	\$ 720.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(Amendment Transmittal--page 2 of 4)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3) SMALL ENTITY			OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee
Total	* Minus	**	=		x \$9 =	\$		x \$18 =	\$
Indep.	* Minus	***	=		x \$42 =	\$		x \$84 =	\$
[ ] First Presentation of Multiple Dependent Claim					+ \$140 =	\$		+ \$280 =	\$
Total Addit. Fee						\$	OR	Total Addit. Fee	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) [X] No additional fee for claims is required.

OR

(d) [ ] Total additional fee for claims required \$ \_\_\_\_\_.

**FEE PAYMENT**

5. [ ] Attached is a check in the sum of \$ \_\_\_\_\_.
- [ ] Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.
- A duplicate of this transmittal is attached.

(Amendment Transmittal--page 3 of 4)

**FEE DEFICIENCY**

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105

**AND/OR**

- ☒ If any additional fee for claims is required, charge Account No. 04-1105

  
\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

Reg. No. 48,399

John B. Alexander, Ph.D.  
(type or print name of practitioner)

Tel. No. 617-523-3400

P.O. Box 9169  
P.O. Address

Customer No. 21874

Boston, MA 02209

#179670\_1

(Amendment Transmittal—page 4 of 4)